

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT:

A&C – Horticulture – APMIP- SUITS – Arbitration Application Nos.49 & 50 of 2007 filed by M/s B H C Agro [India] Pvt. Ltd. Hyderabad – Application of Sri A Veeraswamy, Advocate, High Court of Andhra Pradesh, Legal Counsel to present the case in Arbitration Application Nos.49 & 50 on behalf of Govt. of Andhra Pradesh before the Arbitral Tribunal – Payment of additional Legal Fee - Orders –Issued.

AGRICULTURE & COOPERATION (HORTI)DEPARTMENT

G.O.Rt.No. 1727

Dated:14.12.2010
Read the following:-

1. G.O.Rt.No.1638, Agriculture & Cooperation [Hort] Dept, Dated 27.12.2008.
2. From Sri A Veeraswamy, Advocate Letter dated 1.12.2009.
3. From the Director of Horticulture, Hyderabad Lr No.APMIP/1030/08 dt.30.1.2010.
4. Govt Lr No.15536/Hort/A2/2009 dated 9.3.2010.
5. From Sri A Veeraswamy, Advocate Letter dated 30.4..2010.

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ORDER:

In the reference first read above, Govt have appointed Sri A.Veeraswamy, Advocate, High Court of Andhra Pradesh as Legal Counsel to present the case in the Arbitration Applications Nos.49 & 50 of 2007 filed by M/s BHC Agro [India] Pvt. Ltd., Hyderabad, on behalf of the Government of Andhra Pradesh, before the Arbitral Tribunal subject to a maximum of Rs.5 lakhs.

2. In the reference 3rd read above the Director of Horticulture, Hyderabad, has stated that M/s BHC Agro [India] Pvt. Ltd., Hyderabad has filed Arbitration Application No.49 in respect of Kuppam claiming amount of Rs.12.27 crores and AA No.50 of 2007 in respect of implementation of Kuppam Project in Vizianagaram, Ranga Reddy and Mahaboobnagar claiming an amount of Rs.7.38 cores from Govt. before the Arbitral Tribunal. By rebutting the claim of M/s BHC Agro [India] Pvt. Ltd., a counter claim in the above cases has been filed by Sri A Veeraswamy, the Legal counsel claiming an amount of RS.2.60 crores and Rs.6.96 crores respectively from the claimant. In view of the Counter Claims filed in the above two cases, the Legal Counsel has requested the Govt for payment of Rs.5.00

lakhs towards Legal Fee for Counter claims additionally together with a sum of Rs.10,000/- towards expenses.

3. In the circumstances explained by the Legal Counsel in his letter 5th read above, Govt. after careful examination of the case in depth and taking into consideration the facts of the case, hereby decide to pay an additional amount of Rs.5.00 lakhs towards Legal Fee for Counter claims together with a sum of Rs.10,000/- towards legal expenses to Sri A Veera Swamy, Legal Counsel in Arbitration Applications No.49 & 50 of 2007.

4. The Director of Horticulture, Hyderabad is requested to draw and disburse an amount of Rs.5.00 lakhs towards Legal Fee for Counter claims additionally together with a sum of Rs.10,000/- towards legal expenses to Sri A Veeraswamy, Advocate and Legal Counsel in A.A. No.49 & 50 of 2007, from the available funds of APMIP.

5. This order issues with the concurrence of Finance [EAC] Department vide their UO No.32654/525/A2/EAC/2010 dt.6/12/2010.

[BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH]

Dr. C V S K SARMA
APC & PRINCIPAL SECRETARY TO GOVT.

To

Sri A Veeraswamy, Advocate, High court of Andhra Pradesh, Hyderabad.

The Director of Horticulture, AP, Hyderabad.

The Accountant General, AP, Hyderabad.

The Pay and Accounts Officer, Hyderabad.

The Director of Treasuries & Accounts, MJ Road, Hyderabad.

Copy to:

The Finance (Exp. A& C) Department.

PS to M[Agriculture]

PS to APC & Prl. Secretary

SF/SC

//FORWARDED: BY ORDER //

SECTION OFFICER